

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MONDO VALDEZ,

Plaintiff,

v.

WASHINGTON STATE PENITENTIARY  
(ADMINISTRATION FROM 2005-2006);  
WASHINGTON CORRECTION CENTER  
(ADMINISTRATION FROM 2006-2007);  
STAFFORD CREEK CORRECTION  
CENTER (ADMINISTRATION FROM  
2007); MONROE CORRECTIONAL  
COMPLEX (ADMINISTRATION FROM  
2007-2010; DEPARTMENT OF  
CORRECTINS (ADMINISTRATION AND  
HEADQUARTERS FROM 2005-2010), CO  
STEVE RAMSEY; CO SEAN MURPHY;  
CUS BRUNER; CUS PRESTON;  
COUNSELOR NEELEY; DR. COLBY; DR.  
PIERCE; LT. LONG; LT. MONTGOMERY;  
SUPT. ANDERSON; CUS HOWE; CUS  
MILLER; COUNSELOR ARCHIBALD;  
COUNSELOR HATHAWAY; and SUPT.  
FRAKES,

Defendants.

No. C10-5407 BHS/KLS

ORDER GRANTING APPLICATION TO  
PROCEED IN FORMA PAUPERIS AND  
DIRECTING INSTITUTION TO  
CALCULATE, COLLECT, AND  
FORWARD PAYMENTS

The Court, having reviewed Plaintiff's application to proceed in forma pauperis (Dkt. 1)  
does hereby find and **ORDER:**

Plaintiff's declaration indicates he is unable to afford the court's filing fee or give  
security therefor. Accordingly, Plaintiff's application to proceed as a pauper is **GRANTED**. As  
set forth below, an initial partial filing fee will be collected, and Plaintiff is required to

ORDER - 1

1 **make monthly payments of 20 percent of the preceding months income credited to his/her**  
2 **account until the full amount of the filing fee is satisfied.**

3 Pursuant to 28 U.S.C. § 1915 and Plaintiff's approved application to proceed *in forma*  
4 *pauperis*, the agency having custody of the above named Plaintiff is directed to calculate an  
5 initial partial filing fee equal to 20 percent of greater of -- the average monthly deposits to the  
6 prisoner's account or the average monthly balance in the prisoner's account for the 6-month  
7 period immediately preceding the date of this Order. The initial partial filing fee should be  
8 forwarded to the Court Clerk as soon as practicable.  
9

10 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency is  
11 directed to collect and forward payments equal to 20 percent of the prisoner's preceding month's  
12 income credited to the prisoner's account. In the event that the monthly payment would reduce  
13 the prisoner's account below \$10.00, the agency should collect and forward only that amount  
14 which would reduce the prisoner's account to the \$10.00 level. Please note that this \$10.00 limit  
15 does not apply to the initial partial filing fee described above. Finally, the monthly payments  
16 should be collected and forwarded to the court until the entire filing fee (\$350.00) for this matter  
17 has been paid.  
18

19 The Clerk is directed to send plaintiff a copy of this Order and the General Order, along  
20 with a copy of Plaintiff's Acknowledgment and Authorization portion of the IFP application to  
21 the attention of the inmate account manager of the Monroe Correctional Complex-Twin Rivers,  
22 Monroe, Washington.  
23

24 DATED this 29th day of July, 2010.

25   
26 Karen L. Strombom  
United States Magistrate Judge